

### REMARKS/ARGUMENTS

Examiner Dravininkas is thanked for his ongoing review of our application, including his recent advisory notice.

#### Overview of the invention:

As track densities increase, it becomes increasingly important to prevent accidentally writing data outside the boundaries of a track, including on an adjacent track. A secondary lower magnetic pole design for a write head is described that achieves this by being closer to the ABS than the primary lower pole. It takes the form of a ledge that terminates at the ABS, said ledge resting on a non-magnetic layer.

Reconsideration is requested of the rejection of claims 4-10 under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US 6,791,793) in view of Takano et al. (US 2002/0080521):

Concerning claim 4, examiner argues that, by turning Chen's FIG. 7 upside down, a structure that is patently indistinguishable from our FIG. 4 (as described in our claim 4) will be obtained. To further buttress this position, examiner has provided us with an appropriately modified drawing of Chen's fig. 7.

When we compare our FIG. 4 to Chen's fig. 7, we note the absence (in Chen) of an equivalent to our element 13 (referenced in our claim 4 as a write gap). The **geometrical** equivalent in Chen of our element 13 is the space between Chen's elements 90 and 102. However, said space includes the three insulation regions that support, surround, and cover write coils 94, as well as write coils 94 themselves. Consequently said space has a very high magnetic reluctance, making it impossible for it to serve as a usable write gap in a peripheral recording write head (the type of recording head disclosed by the present invention).

For the structure portrayed in Chen's fig. 7 to write data as a PERPENDICULAR RECORDING WRITE HEAD (Chen's self-description), element 102 must be the main pole and the recording medium must include a magnetically soft underlayer to provide a return flux path, a feature that that teaches away from the present invention.

In his advisory, examiner points out that the fact that our device uses a peripheral magnetic field for writing data is irrelevant since this feature is not mentioned in claim 4. We have amended claim 4 to expressly claim a peripheral write field but respectfully note that said feature was standard for magnetic write heads at the time the invention was made so that there was no reason to distinguish the invention from a possible perpendicular write head of the type used by Chen.

In summary, a major difference between Chen's fig. 7 and our FIG. 4 is the absence of a usable peripheral write gap in Chen's structure.

Concerning claims 5-10:

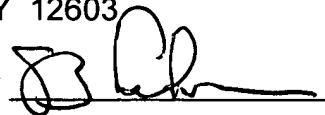
Applicant believes that, based on the foregoing arguments, the rejection of claim 4 under 35 USC 103 has now been overcome and notes that claims 5-10 are all dependent on claim 4 and therefore are believed to no longer be subject to rejection under 35 USC 103.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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By



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*Handwritten initials/signature*

PTO/SB/30 (09-08)

Approved for use through 10/31/2008, OMB 0651-0031  
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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
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Alexandria, VA 22313-1450

Application Number	10/706,381
Filing Date	11/12/03
First Named Inventor	Sovek, M., et al
Art Unit	2627
Examiner Name	A.B. Dravininkas
Attorney Docket Number	HT02-016 CCCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 19-0033
- a. ☒ RCE fee required under 37 CFR 1.17(e) \$810. 08/17/2010 JADD01 00000075 190033 0706381
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 810.00 DA
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>	
Signature	<i>Stephen B. Ackerman</i>
Name (Print/Type)	Stephen B. Ackerman
Date	August 12, 2010
Registration No.	37,761

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Signature	<i>Stephen B. Ackerman</i>
Name (Print/Type)	Stephen B. Ackerman
Date	August 12, 2010

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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